

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 28TH NOVEMBER 2007 / 7TH AGRAHAYANA 1929

WP(C).No. 35216 of 2007(P)  
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PETITIONER:  
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M/S JENSON & NICHOLSON(INDIA)LTD.,  
POWER HOUSE ROAD, ERNAKULAM, 682014,  
REPRESENTED BY ITS MANAGER, E.P.NARENDRANATH.

BY ADV. SMT.S.K.DEVI  
SRI.M.RAJ MOHAN

RESPONDENTS:  
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1. THE ASST. COMMISSIONER(AA),  
O/O THE DEPUTY COMMISSIONER(AA),  
COMMERCIAL TAXES, ERNAKULAM 682015.
2. THE DEPUTY COMMISSIONER(APPEALS),  
COMMERCIAL TAXES, ERNAKULAM-15.
3. THE INSPECTING ASST. COMMISSIONER,  
COMMERCIAL TAXES, ERNAKULAM-30.
4. THE BOARD FOR INDUSTRIAL &  
FINANCIAL RECONSTRUCTIONS, NEW DELHI,  
REPRESENTED BY ITS SECRETARY.

BY G.P.SRI.GOVINDAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 28/11/2007, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

**Antony Dominic, J.**

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**W.P.(C) No. 35216 of 2007**  
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**Dated this the 28th day of November, 2007**

**JUDGMENT**

Against Ext.P1 assessment order, the petitioner filed Ext.P2 appeal along with Ext.P3 stay petition. During the pendency of the appeal, revenue recovery proceedings have been initiated as per Ext.P4 notice and hence this writ petition.

2. Now that the appellate authority seized of the matter and Ext.P3 stay petition was pending, I dispose of the writ petition directing the 2<sup>nd</sup> respondent to consider Ext.P3 stay petition as expeditiously as possible and at any rate within three weeks from the date of production of a copy of this judgment. In the meanwhile, further proceedings pursuant to Ext.P5 shall be kept in abeyance for a period of four weeks.

3. The petitioner shall produce a copy of this judgment before the 2<sup>nd</sup> respondent for compliance.

**Antony Dominic,  
Judge.**

**mn.**

